

Unified Development Ordinance (UDO)

Draft Overview

Key Issues

- Density/Land Use Zoning District Conversions
- Conditional Zoning Districts-Planned Development
- Family Subd/Road Maintenance/Minor-Major Subd
- Residential Driveway Requirements
- Special Districts
- Development Standards/Site Plan Illustrations
- Signs
- Home Occupations Broadened
- Nonconformities
- Manufactured Housing-Affordable Housing

Article I Generally

- Title
- General Purpose & Intent
- Applicability
- Consistency with VisionQuest & Small Area Plans (SAPs)
- Coordination with Other Regulations
- Rules of Construction/Instruction

Introduction to Articles I-VIII

- Generally
- Administrative Agencies
- Procedures
- Zoning Districts
- Development Standards
- Special Purpose Regulations
- Nonconformities
- Abandoned & Junked Vehicles

Article III Procedures

Development Application Submittal

Current:

- **Board of Adjustment (BOA) & Planning Board (PB) require 45 days from application submittal to Board review (public hearing)**
- **Subdivision Review Board (SRB) plans processed within 30 days of application submittal (Ordinance allows up to 60 days for review)**

Proposed:

- **Establish a uniform 45 day standard between application submittal and Board review**

Rationale:

- **Help clarify & create uniformity between various Boards**

Article III Procedures

Notice Provisions

Current:

- Legislative notices mailed 10-25 days prior to meeting
- Quasi-judicial mailing dates not specified

Proposed:

- Mail all notices 10-25 days prior to meeting

Rationale:

- Help clarify & create uniformity in compliance with current general statutes (already adopted)

Article III Procedures

Conditional Zoning Districts

Current:

- **Not Addressed**

Proposed:

- **A new procedure to create a set of districts to parallel the special districts in the nodes, corridors, villages, and commercial centers & allow developers to submit specific plans for specific uses rather than a family of uses - This process is voluntary to the developer**

Rationale:

- **Guides development while adding predictability of uses (Adopted May 1st by Board of Commissioners (BOC))**

Options

Option 1 – Rural Commercial District (RC)

Uses allowed:

- Bakery, Jewelry Store, Motor Vehicle Repair (minor), Nursery Landscaping, Pet Shop

Option 2 – Rural Commercial Conditional District Zone (RC-CD)

Specific Use or Class of Use Allowed:

- Bakery – Developer requests review specific use such as a bakery with attached site plan and conditions. In this case an addition of nursery, for example, would not be allowed without an amendment.
- *Specific use(s) is identified prior to review and approval by the BOC

Article III Procedures

Subdivision Classifications (Family)

Current:

- Level 1 Family subdivision: up to 2 lots without road improvement, (requires 45' r/w)
- Level 2 Family subdivision: 3-5 lots with gravel to State standards, no paving required, (requires 45' r/w)

Proposed:

- Delete Level 2 Family subdivision
- Consider amendment to number of lots for Level 1 Family subdivision without road improvement (requires 45' r/w)
- Existing lot (parent) plus 2 for total of 3 lots

Rationale:

- Deleting Level 2 Family subdivision creates conformity with DOT criteria & Major subdivision

Article III Procedures

Subdivision Classifications (Minor)

Current:

- Up to 5 lots with accompanying driveway cuts fronting along existing State maintained Road

Proposed:

- Up to 3 lots fronting along existing State maintained Road

Rationale:

- Reduces number of driveway cuts on existing State maintained roads therefore enhancing traffic safety



Article III Procedures

Subdivision Classifications (Major)

Current:

- More than 5 lots off existing State road or when any new lots proposed off new road

Proposed:

- More than 3 new lots off existing State road or when any new lots proposed off new road

Rationale:

- Reduces number of driveway cuts on existing State maintained roads

Article III Procedures

Vested Rights

Current:

- No expiration on zoning permit/commercial site plans/PUD/SUP
- Subdivision approval valid for 6 years with interim 3 year re-approval

Proposed:

- Keep current practice of common law provision
- Revise subdivision and commercial development expiration to 5 years. One additional 5-year extension may be granted with Board approval.

Rationale:

- Creates uniformity with State legislation

Article III Procedures

Road Maintenance Guarantee

Current:

- Not Addressed

Consideration:

- Require developer to post a letter of credit, performance bond or other sufficient surety that guarantees funds for road improvements are in place sufficient to meet NCDOT road acceptance policy, or Require/recommend additional 1" pavement beyond NCDOT standards along with additional drainage requirements.
- To ensure that funds are available for maintenance until the road becomes part of the State system; however, not widely used tool according to IOG and other communities

Proposal:

- Not to be included as part of the UDO, but referenced in the Design Manual as a recommendation.

Article III Procedures

Transfer of Development Rights

Current:

- Not Addressed

Proposed:

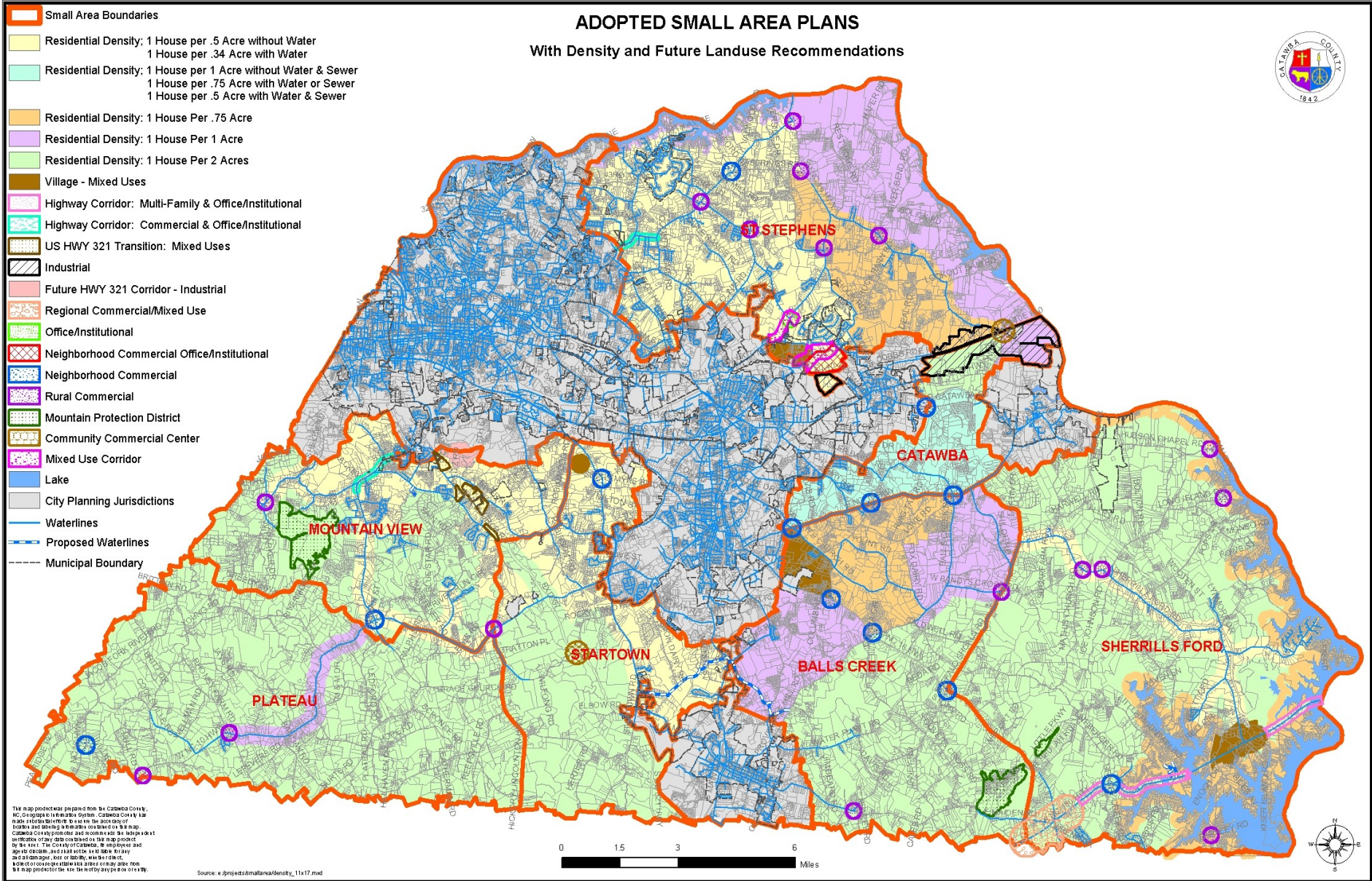
- Further review after UDO adoption

Rationale:

- Focus development on areas that allow for higher development density while permanently protecting environmental sensitive land or rural areas
- New legislation effective 1/1/06 allows for development agreements which gives local government and developers more flexibility.

ADOPTED SMALL AREA PLANS

With Density and Future Landuse Recommendations



County Zoning

- 321-ED(I)
- 321-ED(MX)
- C-1
- C-2
- C-3
- E-1
- E-2
- O-1
- PD-H
- PD-MU
- PD-SC(C)
- PD-SC(N)
- R-1
- R-2
- R-3
- THC

Town Labels: HICKORY, LONGVIEW, BROOKFORD, CONOVER, ST STEPHENS, CLAREMONT, CATAWBA, MOUNTAIN VIEW, NEWTON, CATAWBA, SHERRILLS FORD, BALLS CREEK, PLATEAU, STARTOWN, MAIDEN.

0 1.5 3 6 miles



The map provides a perspective that the Claiborne County, NC, Geographic Information Systems (GIS) and County staff are able to utilize to assess the viability of local and existing regulatory controls of the map. Claiborne County promotes the importance of the topographic verification of any data contained on this map product by the user. The County Office staff will emphasize the agency's ability to use the data for the following: any use of the county, town or village, whether or not, before or after the map is issued, or after the map is produced or the map is altered by any person or entity.

Especially important to the county is the use of the map for the purpose of the county's GIS and the county's GIS staff.

Article IV Zoning Districts

General Zoning Districts

Current:

- Residential (R-1, R-2, R-3)

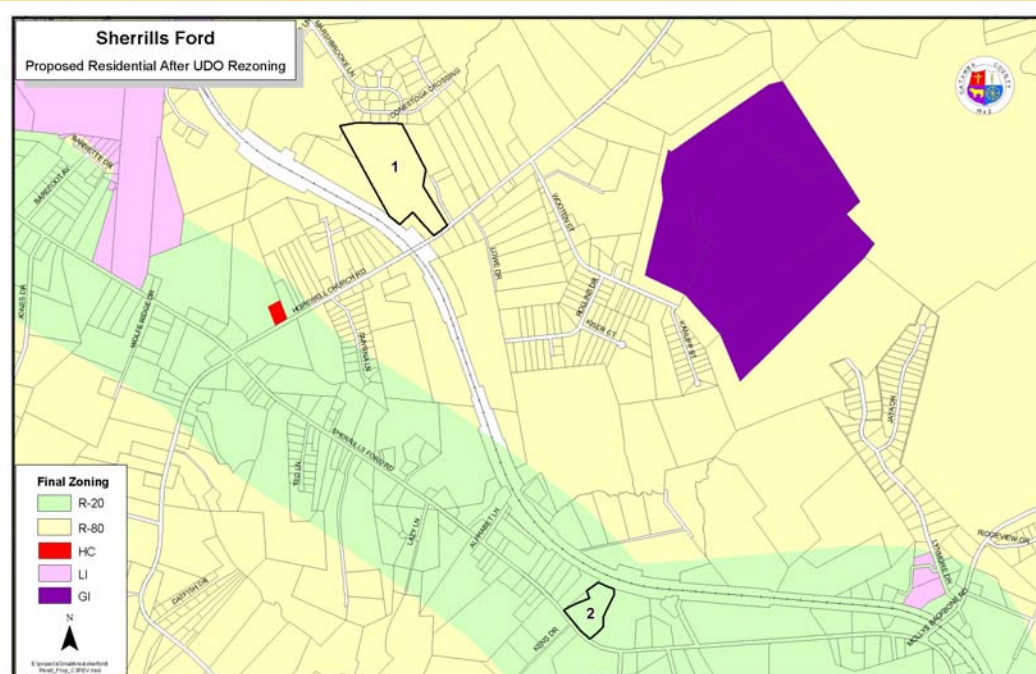
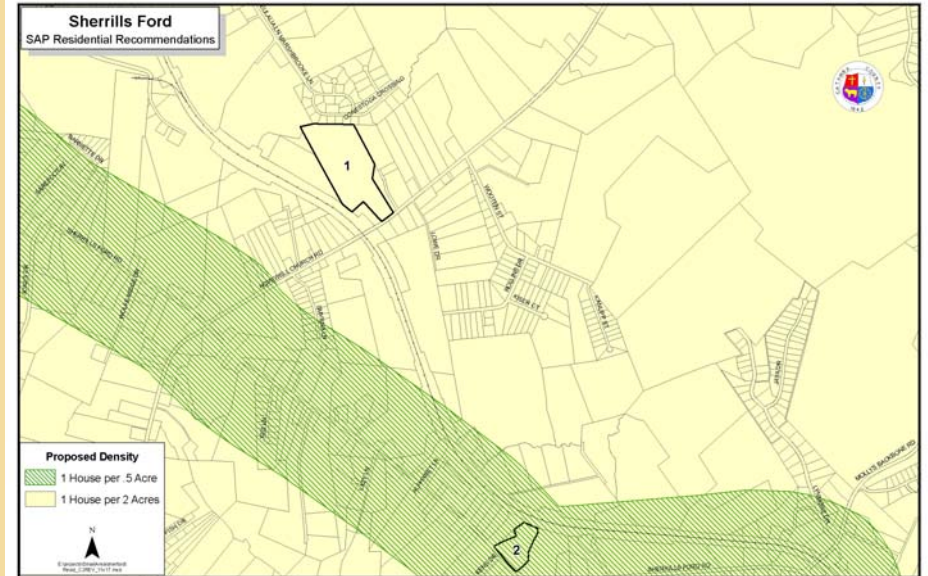
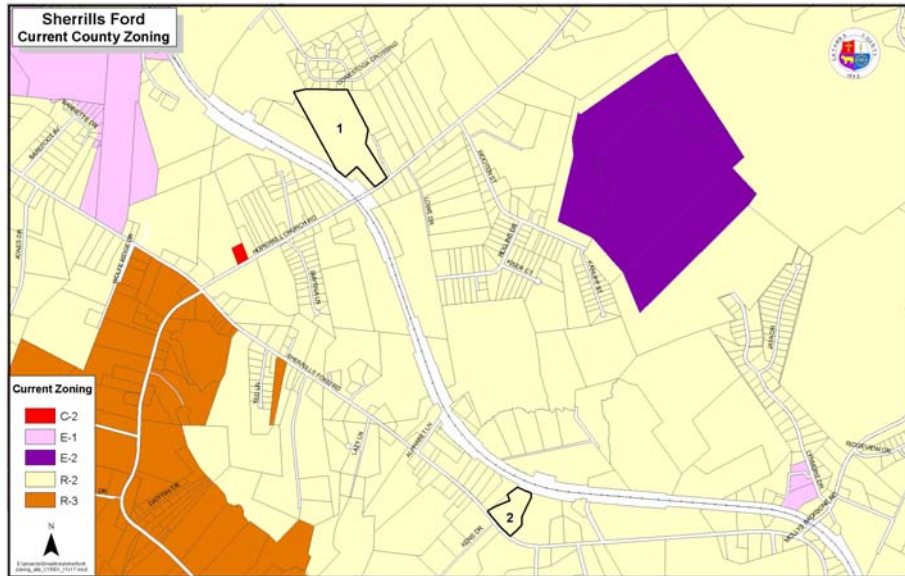
Proposed:

- Residential (R-7 to R-80), & Rural Conservation (R-Con)

Rationale:

- To establish residential densities consistent with Small Area Plan recommendations

Proposed Residential Density Changes



Article IV Zoning Districts

General Zoning Districts

Current:

- Office-Institutional (O-I)
- Commercial (C-1, C-2 & C-3)

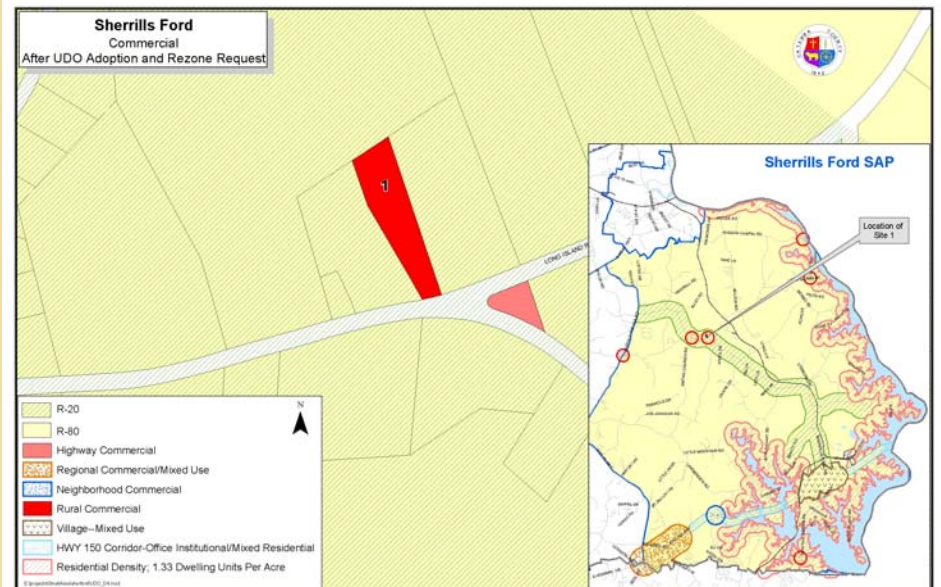
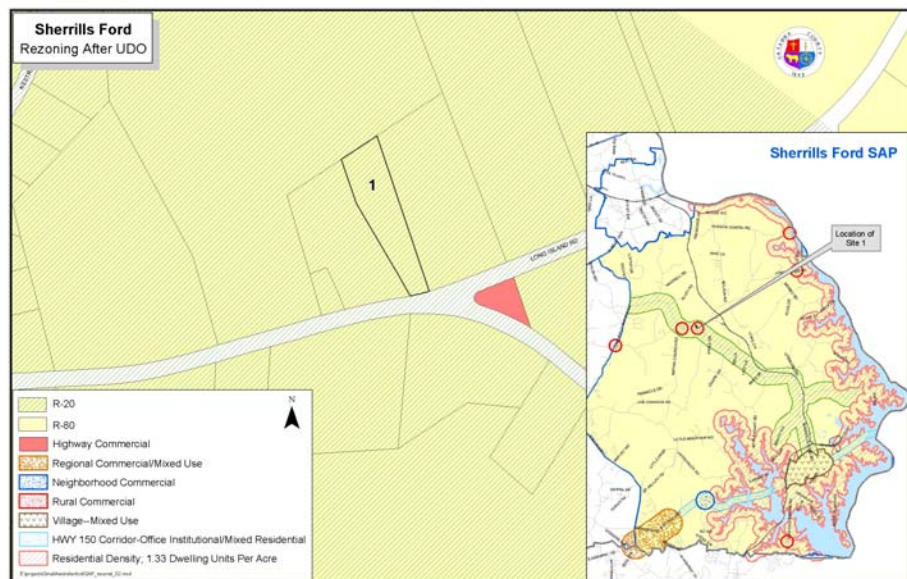
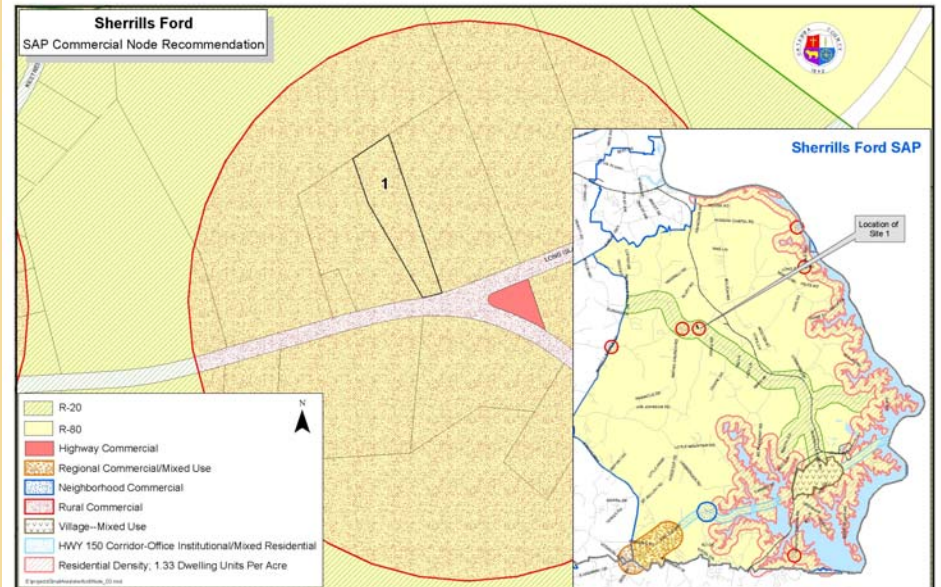
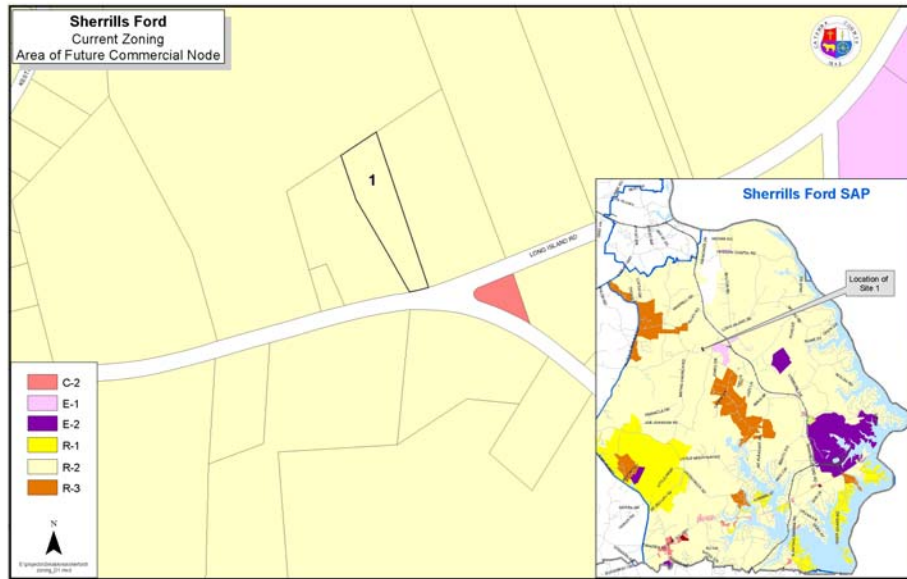
Proposed:

- Office-Institutional Node (OI)
- Rural Commercial (RC) = C-1 ≤ 15,000 sq. ft. per development, maximum 10 acres
- Highway Commercial (HC) = C-2 ≤ 50,000 sq. ft. per development, minimum 10 acres, maximum 25 acres within a node—other designated areas has no acreage limitation

Rationale:

- To establish new non-residential districts based on Small Area Plan recommendations

Commercial Nodes



Article IV Zoning Districts

General Zoning Districts

Current:

- Industrial (E-1 & E-2)

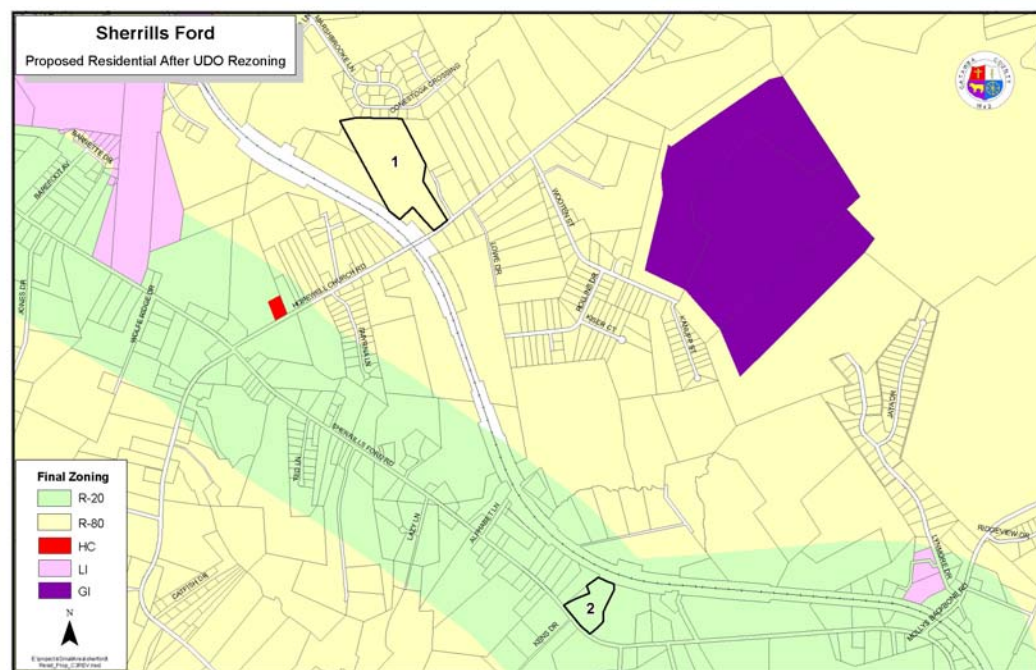
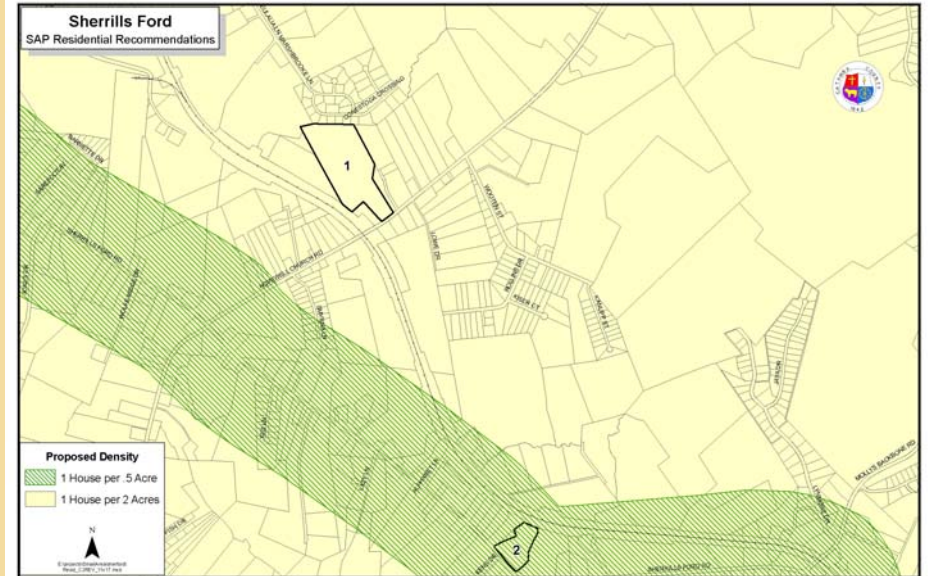
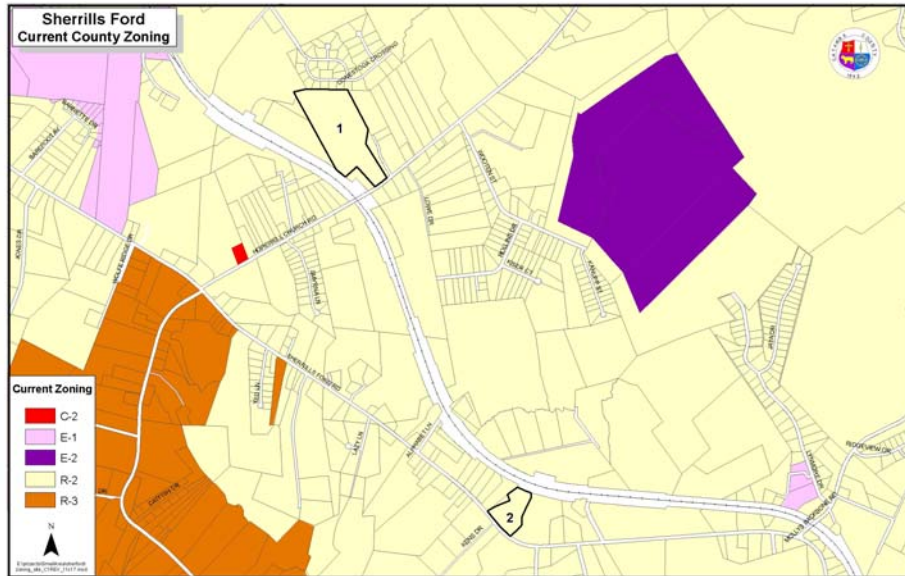
Proposed:

- Light Industrial (LI) = E-1
- General Industrial (GI) = E-2

Rationale:

- To establish industrial districts in conformance with Small Area Plan recommendations

Industrial Zoning Changes



Sample Page of Use Chart

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Article IV Zoning Districts

Planned Developments

Current:

- Multiple PD districts: Housing, Shopping Centers, Office-Institutional, Mixed-Use

Proposed:

- Consolidate into one PD district which may include a variety of mixed uses.
- Building(s) exceeding 50,000 sq. ft. would be reviewed as a PD
- Two or more duplex buildings on a zoning lot, or 3 or more on adjacent lots

Rationale:

- Blends a greater variety of uses together while increasing flexibility with higher quality development standards

Article IV Zoning Districts

Village District

Current:

- Not Addressed

Proposed:

- The traditional village will include a mix of storefronts, central residential, greenspace, border residential

Rationale:

- Allows for true village walkable community to promote air quality, wellness, and planned design as requested by SAPs.

Article IV Zoning Districts

321 Economic Development District

Current:

- 321 ED District adopted in 1996

Proposed:

- Consider additional development standards to include facade construction materials & landscape parking lot islands

Rationale:

- To protect scenic 321 corridor while promoting industrial & commercial development
- Consistency with general commercial zoning district standards

Article IV Zoning Districts

Mountain Protection Overlay District

Current:

- Standards currently in ordinance without designated area on zoning map

Proposed:

- Designate area for mountain protection overlay based on 1100-foot elevation noted in SAPs
- Increase standards to include housing materials, slope, & sensitive site design

Rationale:

- To help protect environmentally sensitive areas and preserve rural character/viewshed of mountain areas based on SAP recommendations

Article IV Zoning Districts

Rural Preservation Overlay

Current:

- Not Addressed

Proposed:

- Designate a corridor along selected rural roads which require a 100-foot setback for major subdivisions and mandatory clustering

Rationale:

- To help preserve rural character of selected corridors which also may qualify for scenic byways

Article IV Zoning Districts

Catawba River Corridor Overlay

Current:

- Pier permitting requirements
- The lake is considered the front on waterfront lots. The road is considered the front on off-waterfront lots

Proposed:

- Redefine waterfront lots to make the lake the rear yard to be consistent with off-waterfront lots
- Allow for up to 3 flag lots on waterfront subject to standards (45-foot frontage on road)
- 30 foot setback for accessory structures
- Minimum lot size .75 – 1 acre and 100-foot lot width
- LID requirements for non-residential development

Rationale:

- Water quality and lot size/shape consistency

Article IV Zoning Districts

Mixed-Use Corridor Overlay

Current:

- Corridor development standards for Hwy. 150 and Hwy. 16 North/Rock Barn area

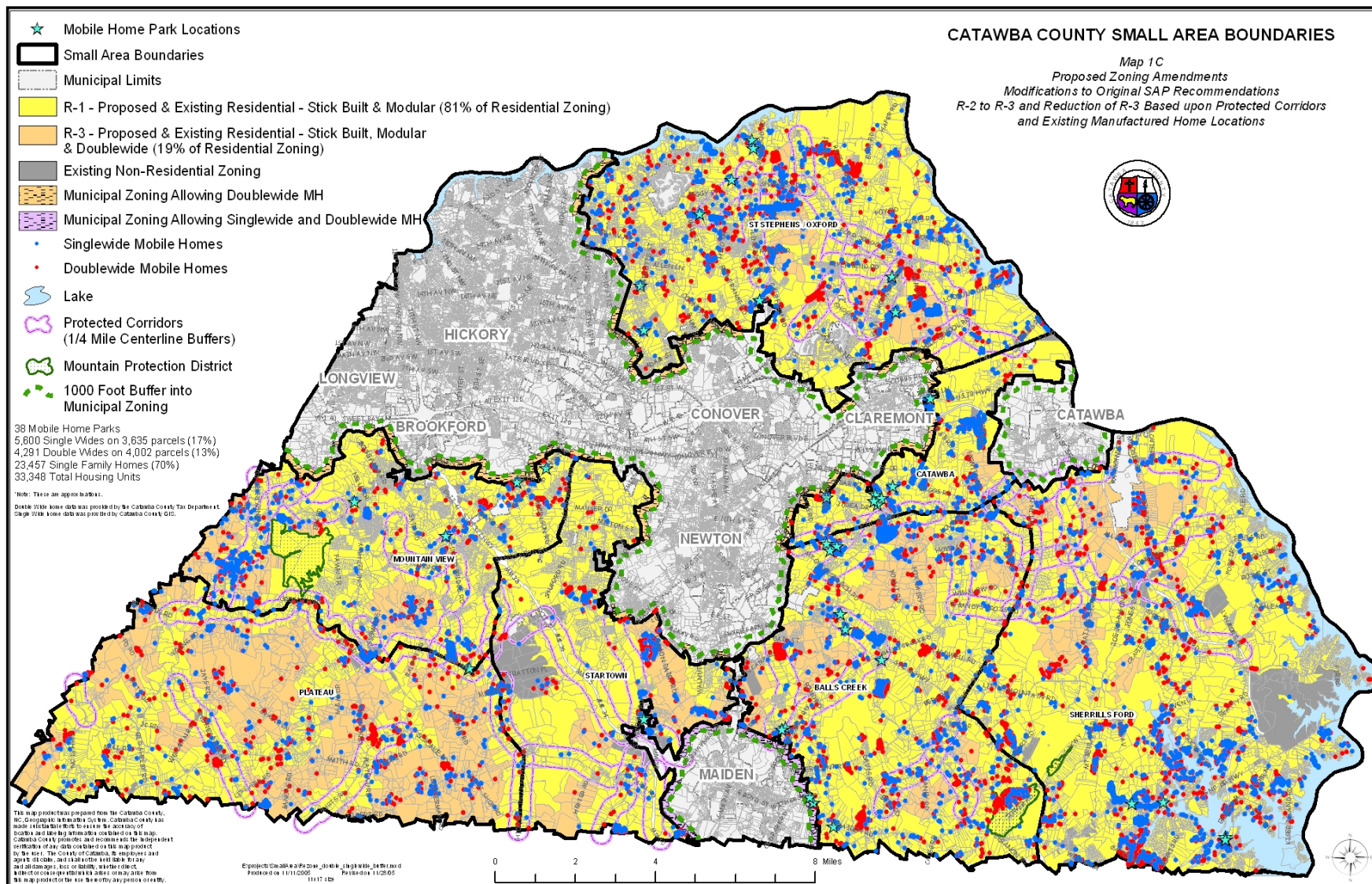
Proposed:

- Broaden applicability to other corridors designated in the SAPs: Hwy. 127 and Springs Road
- Future right-of-way setback encouraged through incentive of additional floor area ratio or res. density

Rationale:

- Higher development standards on entranceway corridors and other commercial corridors to reduce stripping of roadways

Manufactured Home Overlay



Article V Development Standards

Driveway Standards

Current:

- No standards for residential driveways

Consideration:

- For all new residential building permits, would require driveways to be paved for a distance of 20-ft from the existing paved State Road & include a turning radii
- SAP recommended for major & collector roads
- This will aid in traffic safety by allowing a driveway entrance speed to be maintained

Recommendation:

- After further consideration, this will not be pursued

Article V Development Standards

Sidewalks

Current:

- Silent in residential developments
- Encouraged in mixed-use developments
- Required in 321- ED

Proposed:

- Require in PD, overlay & special districts between buildings / parking areas & along front of buildings
- Require in non-residential developments along major thoroughfares
- Require along frontage of commercial buildings adjacent to foundation plantings
- Require sidewalk on 1 side for high density (1/2 acre lot) residential developments of over 25 lots

Rationale:

- Aid in pedestrian safety & walkability & wellness
- Implement recommendation in SAPs



*Sidewalk – residential, one
side of street*

*Sidewalk – entering
residential neighborhood*



Article V Development Standards

Sidewalk Materials

Current:

- Specified in the MUC-O and 321- ED

Proposed:

- Carry forward MUC-O standards for sidewalk construction materials (brick, cement pavers, brick pavers or materials that are similar in appearance and durability) in addition to concrete.

Rationale:

- Creates aesthetically pleasing developments



*Sidewalk – fronting
commercial building within
development*

*Sidewalk – contrast
commercial parallel to street
& no sidewalk along road
front*





*Parking abutting building
with no pedestrian
accommodations*





*Pedestrian Walkability –
pocket park, sidewalks, 4-way
crosswalk, trail system*





*Sidewalk Materials – contrast
concrete & brick*



Article V Development Standards

Building Construction Materials

Current:

- Silent

Proposed:

- For non-residential structures within the overlay and special districts prohibit manufactured, mobile & metal buildings (metal may be used for accents)
- Prohibit the use of smooth vinyl, unpainted cinder-block walls

Rationale:

- Creates aesthetically pleasing developments and promotes compatibility with adjacent properties



Construction Materials



Article V Development Standards

Entranceways

Current:

- Median type entranceways required for multiple use developments in the Mixed Use Corridor Overlay (MUC-O) and 321 Economic Development District

Proposed:

- Multi-tenant, multi-parcel or multi-building commercial developments must provide median entranceways on major and minor thoroughfares. The median shall be grassed and landscaped with shrubbery and small decorative trees.
- Recommended for residential development—incentive as part of the open space

Rationale:

- Aid in traffic safety and aesthetics



*Entranceways – median
entranceways*







Article V Development Standards

Lighting

Current:

- Require lighting standards in MUC-O and 321 ED
- Silent in other commercial districts

Proposed:

- Explore conservation lighting in all commercial developments at intersections, along walkways, in parking lots, between buildings and at development entrances. Control light spillage, intensity and glare so as not to adversely affect motorists, pedestrians, or adjoining property owners. Decorative lighting fixtures required as part of design standards for PDs and Villages.

Rationale:

- Safety and security
- Recommendation of SAPs to reduce light pollution

Article V Development Standards

Landscaped Parking Islands

Current:

- Not required in non-residential districts
- Required in the MUC-O

Proposed:

- In areas for all non-residential districts and multi-family, require 1 island per 15 parking spaces when parking is not visible from the street, and 1 island per 10 spaces where parking is visible

Rationale:

- Guides traffic patterns & reduces speeds to create safer pedestrian / auto developments
- Creates aesthetically pleasing developments, reduces surface heat & aids in storm-water runoff



Parking – without landscaped islands



Parking – with landscaped islands



Article V Development Standards

Tree Protection

Current:

- Zoning matrix provides for a sliding scale of tree preservation/replacement based on lot size

Proposed:

- Encourage proper measures for preservation of trees
- Allow existing vegetation to be used for buffer requirements
- Setbacks for cluster subdivisions are reduced if the perimeter buffer is retained

Rationale:

- SAPs encourages preservation of trees

Article V Development Standards

Parking

Current:

- Number of spaces may be excessive for certain uses / districts

Proposed:

- Reduce parking spaces for certain uses / districts

Rationale:

- Reduce imperviousness and increase aesthetics of site

Article V Development Standards

Screening Commercial Development from Road

Current:

- Require 8' landscaping around parking areas

Proposed:

- Require a 12' landscape strip around parking area when visible from public street and 8' when not visible from public street

Rationale:

- The objective is to reduce the potential visual impact and create better aesthetics but not to entirely shield the uses from the public

*Screening Commercial
from road*



Lighting



Article V Development Standards

Open Space Requirement

Current:

- Optional cluster subdivision requires 30% open space

Proposed:

- 2500 square feet per lot with incentive of additional lots for increased open space
- Primary (25%) and secondary (75%) open space
- Improved trail in secondary open space
- Incentive for preservation of road frontage and perimeter vegetation (1 for 2 secondary open space)

Rationale:

- Recommendation for mandatory open space in SAP
- Open space is proportional to number of lots in development

Article V Development Standards

Signs (on-premise single use)

Current:

- One per zoning lot
- R-1, R-2, R-3: 16 sf, illumination not allowed
- O-I: 2% of building front, illuminated allowed
- C-1, C-2, C-3, E-1, E-2: 2 per linear foot of building up to 200' max., illuminated allowed
- Silent on wall signs
- Max. height 35'

Proposed:

- Sign height and area requirements are based on 321 standards where the type of road and speed limit determine maximum height and area
- Max. of one ground mounted two-sided sign per use
- One wall sign per street frontage use with maximum to 10% of area of building face
- LED and other electronic conveyance technology is allowed with a setback of 50'

Rationale:

- Creates uniformity in County, promotes safety and enhances aesthetics

Article V Development Standards

Signs (on-premise multi-tenant)

Current:

- A variety of different regulations within Planned Development & special districts
- One multi-use sign per development

Proposed:

- One two-sided sign per multi-use development entrance
- Maximum sf and height of multi-tenant sign display area (to include any blank space) at a factor of 1.5 x the sign allowed for a single use facility.
- Maximum height 6' and an area of 12 sf is also allowed for individual businesses in the development

Rationale:

- Creates uniformity in County, promotes safety and enhances aesthetics

Article V Development Standards

Signs (prohibited)

Current:

- Certain signs are prohibited in 321 ED & MUC-O (portable signs, roof signs, mechanical movement signs, posters, streamers, windblown signs (banners, balloons, streamers, etc.), electronic changeable copy signs) allowed in all other commercial districts

Proposed:

- To carry prohibited sign language forward currently in 321 ED & MUC-O to all zoning districts; therefore, the following signs are prohibited in all zoning districts as a permanent sign: portable signs, roof signs, mechanical movement signs, posters, streamers, windblown signs (banners, balloons, streamers, etc.)

Rationale:

- Creates uniformity in County, promotes safety and enhances aesthetics

Article V Development Standards

Signs (non-conforming)

Current:

- Require non-conforming signs to become in conformance within 1-year

Proposed:

- Require non-conforming signs to come into conformance when any signs on the zoning lot are structurally altered, moved or any new sign is located on the lot
- Require conformance within 2-years

Rationale:

- Difficult to monitor and enforce current 1-year policy

Article V Development Standards

Outside Storage

Current:

- Allowed in C-2 & C-3 when screened

Proposed:

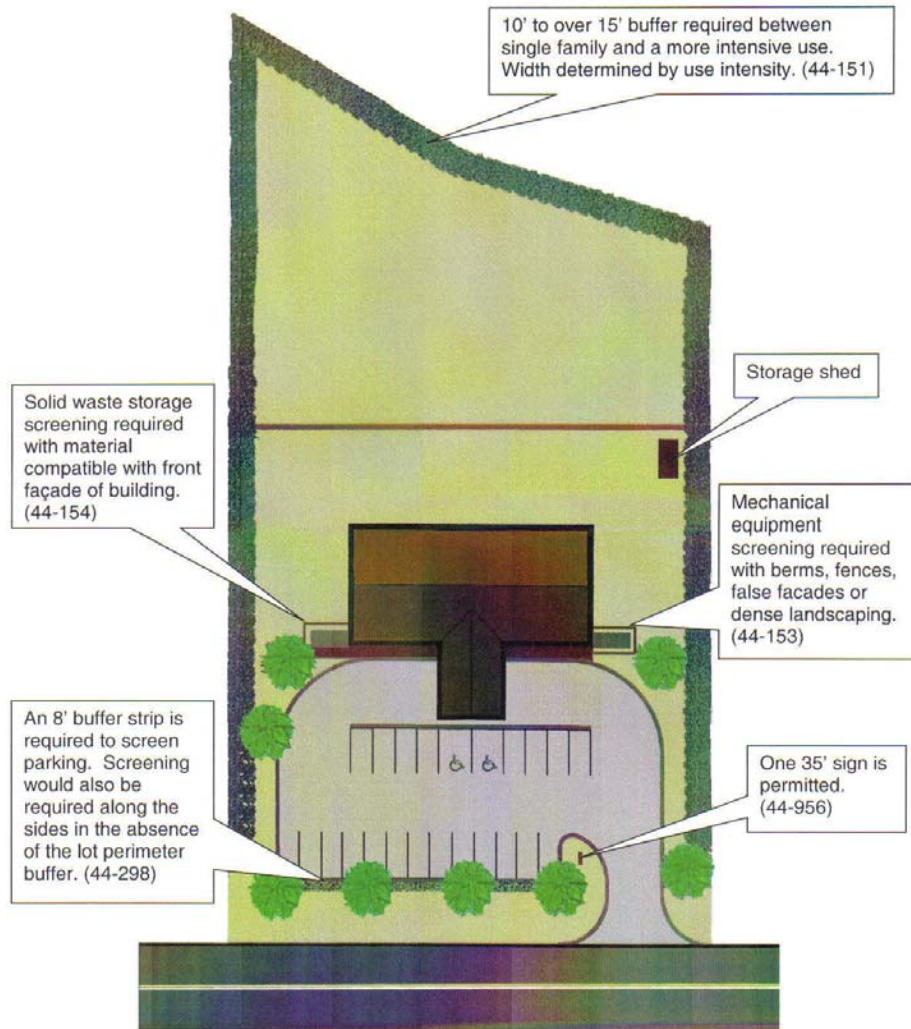
- Not allowed in front or side yard in any commercial or industrial districts
- Must be screened from view

Rationale:

- Creates aesthetically pleasing developments and promotes compatibility with adjacent properties

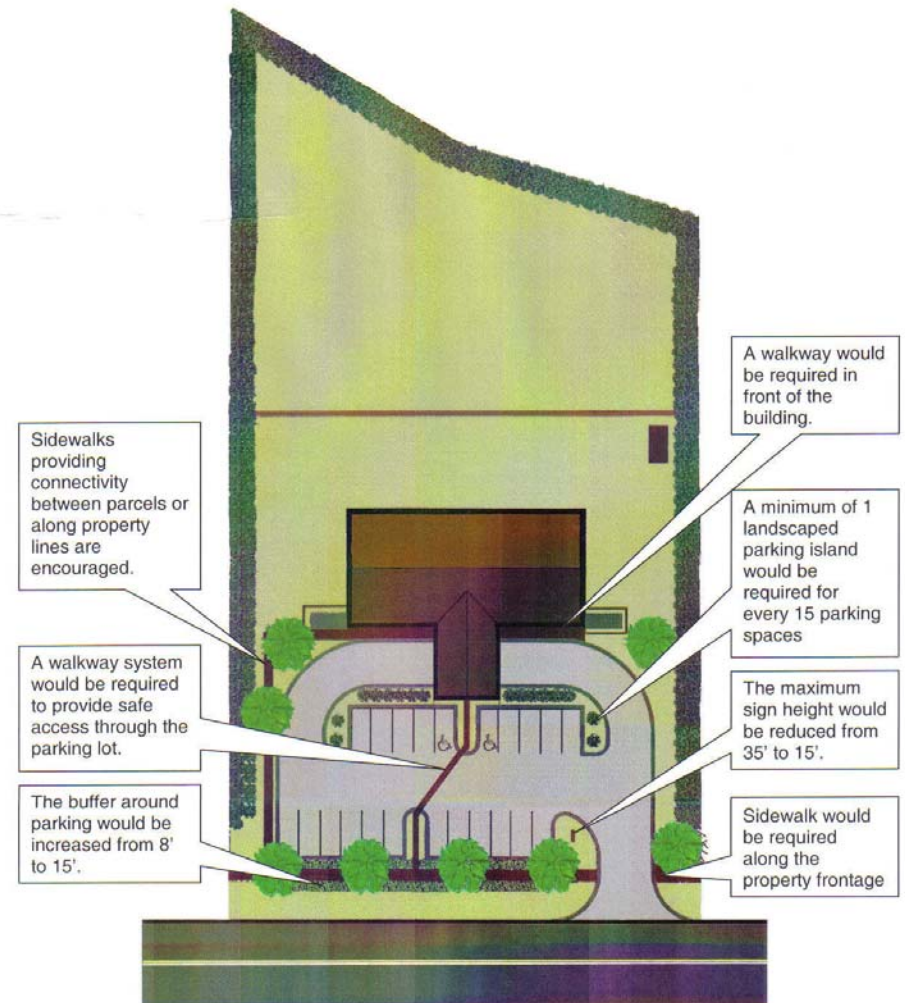
Current County Code – Single Use Commercial

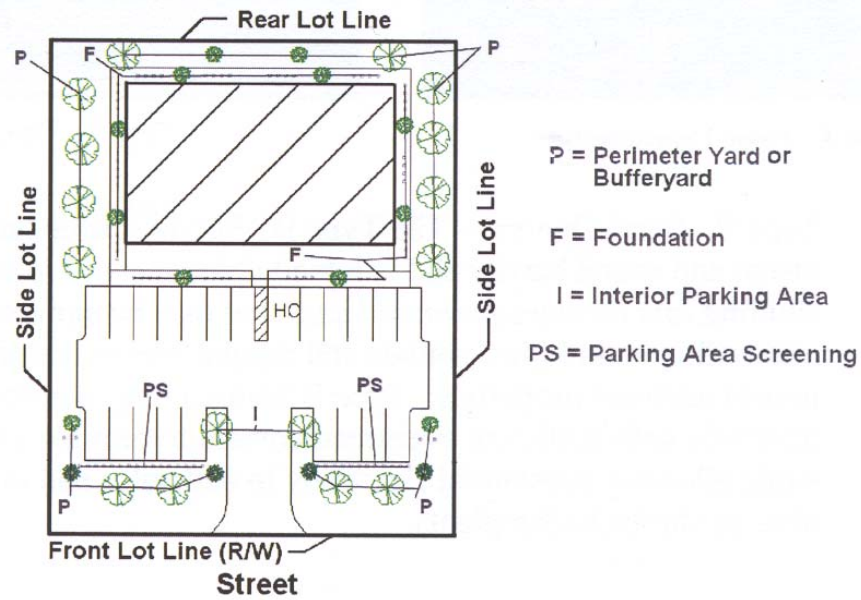
These regulations will remain in place with the adoption of the UDO



Proposed Changes with the UDO – Single Use Commercial

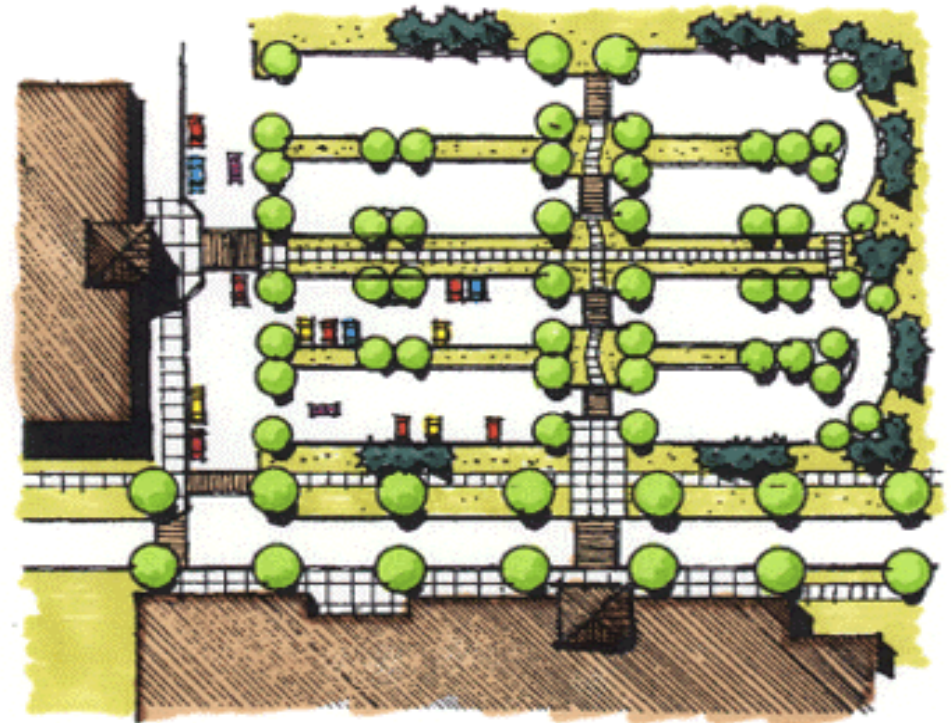
These regulations would be in addition to the current regulations.





Location of Landscaping on a Lot

Design manual example



Article VI Special Purpose Regulations

Shipping Containers

Current:

- Not Addressed

Proposed:

- Residential districts: allow for 7 days during relocation
- Commercial districts: allow with restrictions such as screening & setbacks
- Shipping containers converted for permanent storage must be encapsulated to include a pitched roof with shingles

Rationale:

- This has become a recent phenomenon that generates complaints; therefore, recommending regulations to protect neighboring properties

Article VI Special Purpose Regulations

Wireless Facilities

Current:

- Consultant reviews plans for cell towers & co-locations

Proposed:

- Amendments to relax review criteria for co-locations
- Maximum tower height will be reduced from 200' to 120'
- Cell tower, radio & TV consolidated under the same standards

Rationale:

- To help encourage co-location

Article VI Special Purpose Regulations

Home Occupations

Current:

- Allow certain uses provided that located within house and only max. 25% of home used

Proposed:

- Keep home occupations as currently regulated
- Allow cottage businesses in detached accessory buildings on the same lot or on an adjacent lot as a principal structure, if under same ownership, occupying less than 50% of the floor area of the principal structure

Rationale:

- Allow more flexibility for home based businesses

Article VII Nonconformities

Nonconforming Use – Change of Use

Current:

- Uses can be changed to a less intensive use with BOA approval

Proposed:

- Require parking, paving & landscaping requirements to comply with today's standards, unless BOA grants special exception

Rationale:

- Creates more parity between conforming & nonconforming businesses

Article VII Nonconformities

Nonconforming Buildings or Structures (commercial)

Current:

- Can be enlarged with BOA approval
- Does not specify if free standing buildings can be approved
- Parking & landscaping requirements unclear (in practice, larger additions require improvements on addition only)

Proposed:

- Administrative approval for existing building enlargements up to 10%
- Expansions over 10% require BOA approval
- Landscaping & parking improvements required for existing & new structures, unless BOA grants special exception
- Allow expansion of a nonconformity with addition of a new free standing building

Rationale:

- Creates parity between conforming & nonconforming businesses
- Helps reduce negative externalities between different neighboring uses
- Allows flexibility for staff review of minor expansions

Article VII Nonconformities

Nonconforming Buildings or Structures (residential)

Current:

- Administrative approval for residential additions to structures allowed provided nonconformity is not increased (in practice, linear footage length not considered an addition provided not closer to the adjoining property line)
- BOA approval for all commercial additions regardless of area of lot coverage

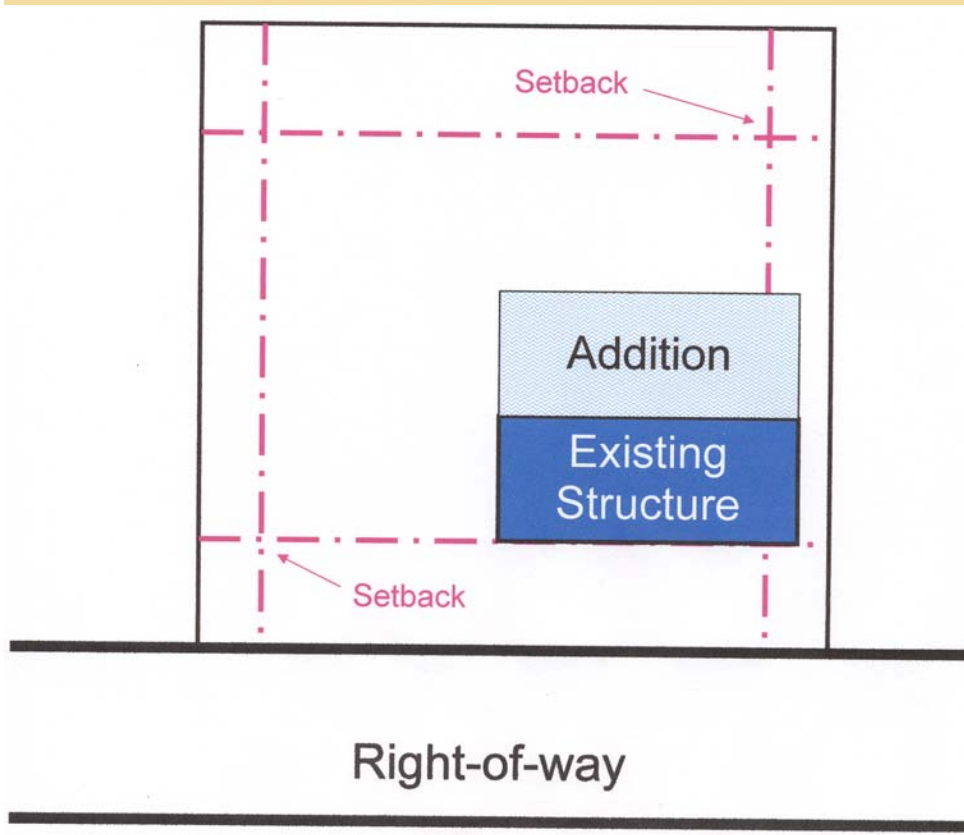
Proposed:

- Residential additions: cannot increase setback nonconformity

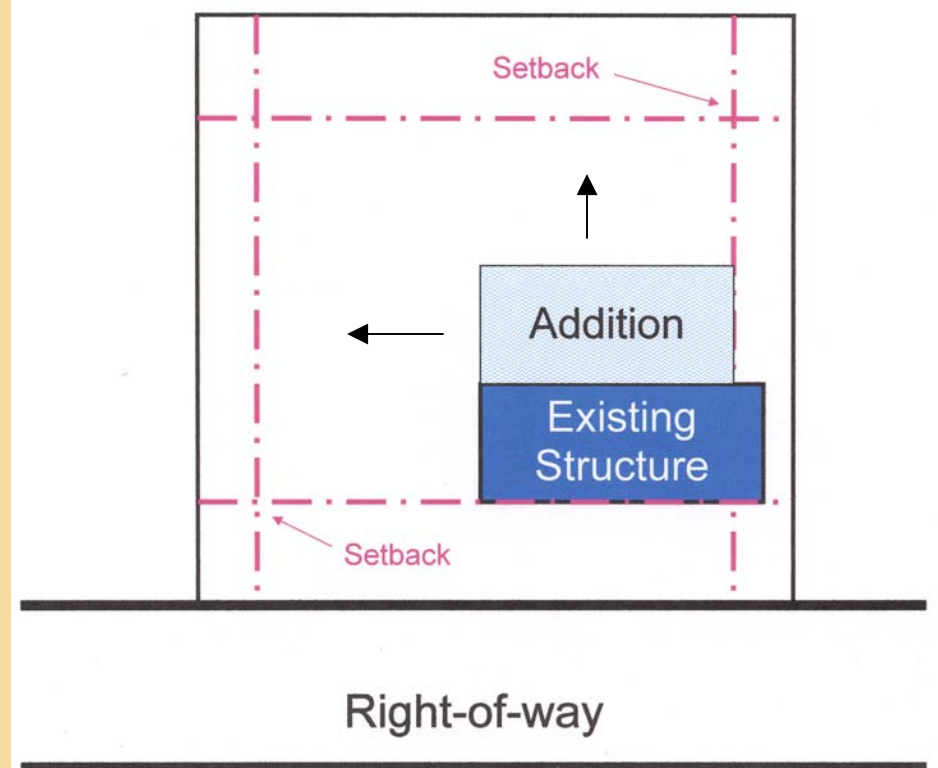
Rationale:

- Clarify review
- Reduces impacts of nonconformities

Current ordinance



Proposed ordinance



Article VIII Abandoned & Junk Vehicles

Current:

- A stand alone ordinance
- Recently adopted

Proposed:

- To include as a separate article within UDO
- No changes suggested

Public Forums & Drop-In Sessions

Public Forum Meetings

Tuesday, July 11, 2006 (east)
6:30 pm to 8:30 pm

Tuesday, July 25, 2006 (west)
6:30 pm to 8:30 pm

Location:

Mill Creek Middle School Gymnasium,
1041 Shiloh Rd, Catawba, NC

Mountain View Elementary School, Gymnasium
5911 Dwayne Starnes Dr, Hickory, NC

Drop-In Informational and Question/Answer Opportunity

Wednesday, August 2, 2006
10:00 am to 5:00 pm

Thursday August 3, 2006
4:00 pm to 8:00 pm

Friday, August 4, 2006
10:00 am to 5:00 pm

Monday, August 7, 2006
10:00 am to 3:00 pm

Government Center, 2nd floor meeting room,

Government Center, 2nd floor meeting room,

Government Center, 2nd floor meeting room,

Government Center 2nd floor meeting room

Public Hearings

PUBLIC HEARINGS

**Monday, August 7, 2006 at 7:00pm
Planning Board Meeting**

1924 Courthouse, Downtown, Newton, NC

**Monday, August 21, 2006 at 7:00pm
Board of Commissioners**

1924 Courthouse, Downtown, Newton, NC

**Monday September 18, 2006 at 7:00 pm
Board of Commissioners**

1924 Courthouse, Downtown, Newton, NC